

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

WHEELER PEAK, LLC, an  
Illinois limited liability company,

Plaintiff,

vs.

No. CIV 07-01117 JB/WDS

LCI2, INC., a New Mexico corporation and  
DE LA TORRE ARCHITECTS, P.A.,  
a New Mexico professional association,

Defendant.

LCI2, INC., a New Mexico corporation,

Counter Claimant,

vs.

WHEELER PEAK, LLC, an Illinois limited  
liability company, KMG, INC., an Illinois  
corporation, and KEITH GILES, an individual,

Counter Defendants,

LCI2, INC., a New Mexico corporation,

Third Party Plaintiff,

vs.

DONNER PLUMBING AND HEATING, INC.;  
JC CONSTRUCTORS, INC.; and DE LA TORRE  
ARCHITECTS, P.A., A.I.A.,

Third Party Defendants.

DONNER PLUMBING AND HEATING, INC.,

Third Party Plaintiff,

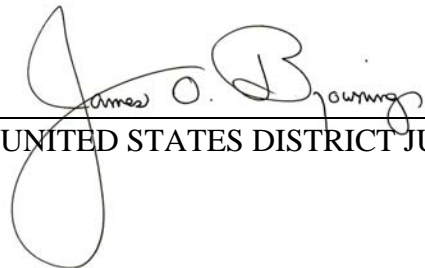
vs.

PARKER EXCAVATING, INC.,

Third Party Defendant

**ORDER OF DISMISSAL**

**THIS MATTER** comes before the Court on the Unopposed Motion to Dismiss filed by Wheeler Peak, LLC, pursuant to Fed.R.Civ.P. 41(a)(2). This Court, having reviewed the Motion, and having determined that it is unopposed, hereby dismisses all claims that have been asserted in this case with prejudice.



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UNITED STATES DISTRICT JUDGE